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see 2 FOSTER, FEDERAL PRACTICE, 6 ed., § 270. *Contra, Cropper v. Coburn*, 2 Curt. (U. S.) 465 (D. Mass.). But in spite of the statute an injunction will issue in a Federal court against the collection of a state judgment fraudulently obtained. *Schultz v. Highland Gold Mines Co.*, 158 Fed. 337 (D. Ore.). And Federal courts enjoin the enforcement of void state judgments. *Simon v. Southern Ry. Co.*, 236 U. S. 115. See 2 FOSTER, *op. cit.*, 1344. The court in the principal case rests its decision on the invalidity of the state judgments. But the state judgments are not void; the proceedings up to and including judgment were entirely regular. The judgments might properly have been satisfied out of the revolving fund provided by statute. See 41 STAT. AT L. 462, 468. To seek to satisfy them by execution was, however, a direct violation of the statute. See 41 STAT. AT L. 462. The executions may, therefore, be treated as void. *Cf. Planters' Loan & Sav. Bank v. Berry*, 91 Ga. 264, 18 S. E. 137; *Pacific Nat. Bank v. Mixter*, 124 U. S. 721. It is arguable that the proper remedy is in the state court. But if Federal courts may restrain proceedings under fraudulent and void state judgments, the same reasoning will support an injunction against proceedings under void executions. On this ground the decision may be supported.

**GARNISHMENT — EFFECT OF DEATH OF PRINCIPAL DEFENDANT.** — The plaintiff brought an action against A's testator, and garnished X, as permitted by statute. (1919 WASH. CODE., § 7999.) Before judgment in the main action, A's testator died, and A was substituted as defendant. X confessed the garnished debt and paid the money into court. The plaintiff, having recovered judgment against the new defendant, moves the court to pay him sufficient of the money paid in by X to satisfy it. *Held*, that the motion be granted. *Hawley v. Isaacson*, 200 Pac. 1109 (Wash.).

Garnishment proceedings in this country are purely statutory. See ROOD, GARNISHMENT, § 6; DRAKE, ATTACHMENT, 7 ed., § 451a. Where there is no express statutory provision, it would seem as a matter of construction that these proceedings, being meant to follow the main action, and being merely ancillary thereto, should survive or abate with it. *Dennison v. Taylor*, 142 Ill. 45, 31 N. E. 148; *Iron Cliffs Co. v. Lahais*, 52 Mich. 397, 18 N. W. 121; *Segar v. Muskegon Lbr. Co.*, 81 Mich. 345, 45 N. W. 982; *Kennedy v. Tiernay*, 14 R. I. 528. *Cf. Shafter, J.*, dissenting, in *Myers v. Mott*, 29 Cal. 359, 370. And see 2 SHINN, ATTACHMENT & GARNISHMENT, § 682; ROOD, *op. cit.*, § 2. If the particular statute under which the action is brought permits garnishment only for the purpose of compelling the appearance of the principal defendant, then it is sound to hold that the garnishment is dissolved by his death prior to judgment. *Reynolds v. Nesbitt*, 196 Pa. St. 636, 46 Atl. 841. *Cf. Sweringen v. Adm'r of Eberius*, 7 Mo. 421. But under most of the modern statutes the primary purpose of garnishment is to secure the creditor. *Oberteuffer v. Harwood*, 6 Fed. 828 (D. Minn.). See *Kennedy v. Tiernay*, *supra*, at 530. *Cf. Clark v. Patterson*, 58 Vt. 676, 5 Atl. 564. See ROOD, *op. cit.*, § 7. The effect of the garnishment is to give the plaintiff a lien on the assets of the principal defendant in the possession of the garnishee to secure whatever judgment he may recover in the main action. *Beamer v. Winter*, 41 Kan. 596, 21 Pac. 1078; *Burlingame v. Bell*, 16 Mass. 318; *Beiber v. Weiser*, 1 Woodw. Dec. (Pa.) 473; *Wilder v. Weatherhead*, 32 Vt. 765. *Cf. Kittredge v. Warren*, 14 N. H. 509. It is clear that the death of the principal defendant after judgment would not defeat this lien. *Coit v. Sistare*, 85 Conn. 573, 84 Atl. 119. The principal case is manifestly sound in holding that his death even before judgment does not dissolve the garnishment, where the main action survives. *Logan v. Trust Co.*, 203 N. Y. 611, 96 N. E. 1120; *Mitchell v. Schoonover*, Oreg. 211, 214, 17 Pac. 867, 869. But see *Myers v. Mott*, 29 Cal. 359.